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for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Plaintiff,

v.

Edward A. Zraick, Jr. *et al.*,

Defendants.

Adv. Pro. No. 10-05257 (SMB)

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## NOTICE OF MEDIATION REFERRAL AND MEDIATOR SELECTION

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On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”)<sup>1</sup> [Adv. Pro. No. 08-01789 (SMB), Dkt. No. 3141]. Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, in this Adversary Proceeding on November 30, 2010 [Dkt. No. 2], the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter.

Pursuant to the Avoidance Procedures, the Trustee and Defendants (the “Parties”) engaged in mediation which concluded on July 9, 2014. At a status conference held on February 26, 2020, the Court granted the request of the Parties to refer the above-referenced adversary proceeding to a second mediation. Through this Notice of Mediation Referral and Mediator Selection, the Parties hereby state that they have completed discovery in the above-referenced adversary proceeding and agree to be referred to mediation at this time.

Further, pursuant to the Avoidance Procedures and the Mediation Order, the Parties hereby mutually select Deborah Reperowitz to act as Mediator in this matter. The Parties further agree to contact the Mediator as soon as practicable after this Notice of Mediation Referral and Mediator Selection is filed with the Court.

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<sup>1</sup> All terms not defined herein shall be given the meaning ascribed to them in the Order.

The Parties further agree that no person shall act as Mediator if that person, or that person's law firm, currently represents a party with respect to the BLMIS proceeding, unless the Parties provide prior written consent that the person may act as Mediator.

Based upon the trial currently scheduled to commence on May 6, 2020, the Parties agree that this mediation will conclude by April 3, 2020, unless that deadline is extended by mutual consent of the Parties and the Mediator.

Dated: New York, New York  
March 4, 2020

**BAKER & HOSTETLER LLP**

By: /s/ Nicholas J. Cremona

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